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Attorneys for Plaintiffs, PATRICK LaCROSS, ROBERT LIRA
and MATTHEW LOFTON, on behalf of themselves and all
others similarly situated

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION

PATRICK LaCROSS, ROBERT	)	Case No. EDCV18-00771 JGB (JCx)
LIRA and MATTHEW LOFTON, on	)	Courtroom: 1 (Riverside)
behalf of themselves and all others	)	Hon. Jesus G. Bernal, Judge
similarly situated,)	
	)	PLAINTIFFS' NOTICE OF
Plaintiffs,	)	MOTION AND MOTION TO
vs.	)	REMAND TO STATE COURT;
	)	MEMORANDUM OF POINTS &
KNIGHT TRANSPORTATION, INC.,	)	AUTHORITIES IN SUPPORT
an Arizona corporation; KNIGHT	)	THEREOF; [PROPOSED] ORDER;
TRUCK and TRAILER SALES, LLC,	)	CERTIFICATE OF INTERESTED
an Arizona Limited Liability Company;	)	PARTIES
and DOES 1 through 100, inclusive,)	
Defendants.)	

Date: June 23, 2014

Time: 9:00 a.m.

CtRm: 1

Action Filed: 04/18/14

1 NOTICE IS HEREBY GIVEN that, on June 23, 2014, at 9:00 a.m. or as
2 soon thereafter as the matter may be heard, in Courtroom 1 of this Court, specially
3 appearing Plaintiffs, PATRICK LaCROSS, ROBERT LIRA and MATTHEW
4 LOFTON ("Plaintiffs"), will move for an Order remanding this action to state
5 court.

6 Said motion will be made on the grounds that Defendants have failed to
7 introduce any evidence (admissible or otherwise) to support their allegation that
8 the amount in controversy herein exceeds the federal minimum jurisdictional limit
9 and thereby fails to meet their burden to prove the same.

10 The motion will be based on this notice of motion, the memorandum of
11 points and authorities set forth below, the declaration of James M. Trush,
12 Plaintiffs' objections to evidence, the papers and records on file herein and on
13 such oral and documentary evidence as may be presented at the hearing of the
14 motion.

15 May 17, 2014

TRUSH LAW OFFICE, APC
PERONA, LANGER, BECK, SERBIN,
MENDOZA & HARRISON, APC

16
17
18 By: 

19 James M. Trush, Esq.
20 Brennan S. Kahn, Esq.
21 Attorneys for Plaintiffs, PATRICK
22 LaCROSS, ROBERT LIRA and
23 MATTHEW LOFTON, on behalf of
24 themselves and all others similarly situated
25
26

27 M:\LaCross v. Knight - IC Case\USDC\Ntc of Mo & Mo to Remand to State Court (05.16.14).doc

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the City of Costa Mesa, County of Orange, State of California. I am over the age of 18 years and not a party to the within action. My business address is 695 Town Center Drive, Suite 700, Costa Mesa, California. On May 19, 2014, I served the documents named below on the parties in this action as follows:

DOCUMENT(S) SERVED: Ntc. of Mo. & Mo to Remand to State Court; Points & Authorities in Support; Dec. of James M. Trush; Objections to Evidence; Certificate of Interested Parties; [Proposed] Order

SERVED UPON: SEE ATTACHED SERVICE LIST



(BY MAIL) I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Irvine, California. I am readily familiar with the practice of **Trush Law Office, APC** for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal Service the same day as it is placed for collection. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit;



(BY PERSONAL SERVICE) I delivered to an authorized courier or driver authorized by **DDS Attorney Service** to receive documents to be delivered on the same date. A proof of service signed by the authorized courier is available upon request.



(BY FEDERAL EXPRESS) I am readily familiar with the practice of **Trush Law Office, APC** for the collection and processing of correspondence for overnight delivery and know that the document(s) described herein will be deposited in a box or other facility regularly maintained by Federal Express for overnight delivery)



(BY FACSIMILE) The above-referenced document was transmitted by facsimile transmission and the transmission was reported as complete and without error. Pursuant to C.R.C. 2009(1), I caused the transmitting facsimile machine to issue properly a transmission report, a copy of which is maintained at **Trush Law Office, APC**, and is available upon request.



(BY ELECTRONIC MAIL) The above-referenced document was transmitted by electronic mail transmission to the electronic mail address last provided me by the person(s) shown on the accompanying Service List, and I hereby attest that no information was received by sender indicating that the electronic mail transmission was undeliverable.

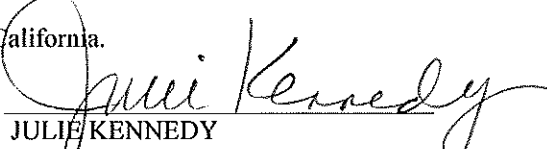


(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



(FEDERAL) I declare under penalty of perjury under the laws of the United States of America that the above is true and correct and that I took said action(s) at the direction of a licensed attorney authorized to practice before the Federal Courts.

Executed on May 19, 2016, at Costa Mesa, California.


JULIE KENNEDY

SERVICE LIST

LaCross v. Knight Transportation - IC
USDC/Central/Case No. EDCV18-00771 JGB (JCx)

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rev. 04/23/14 jk

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